

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

THE PHOENIX INSURANCE COMPANY,

Plaintiff,

-against-

THE FIRST LIBERTY INSURANCE
CORPORATION,

Defendant.

Civil Action No. 1:22-cv-1265
(LEK/CFH)

**STIPULATION OF DISMISSAL
WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED by and between the parties, Plaintiff, The Phoenix Insurance Company (“Plaintiff”), and Defendant, The First Liberty Insurance Corporation (“Defendant”), (collectively the “Parties”), pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), that the above-captioned action is hereby dismissed, with prejudice, against the Defendant.

IT IS FURTHER STIPULATED AND AGREED by and between the Parties, that each party is to bear their own costs and fees for this litigation.

This stipulation may be executed in counterparts.

Dated: New York, New York
May 23, 2023

USERY & ASSOCIATES

By: /s/ Tariq J. Messineo
Tariq J. Messineo, Esq.
Attorneys for Plaintiff
The Phoenix Insurance Company
Main: 917.778.6680
Fax: 844.571-3789
Email: tmessineo@travelers.com

Dated: White Plains, New York
May 23, 2023

JAFFE & ASHER, LLP

By: /s/ Marshall T. Potashner
Marshall T. Potashner, Esq.
Attorneys for Defendant
The First Liberty Insurance Corporation
445 Hamilton Avenue, Suite 405
White Plains, NY 10016
Tel: 212-687-3000
mpotashner@iaffeandasher.com

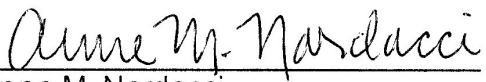
Please address all correspondence
sent by mail to:

P.O. Box 2996
Hartford, CT 06104-2996

Physical Address:

485 Lexington Avenue, 6th Floor
New York, NY 10017

IT IS SO ORDERED:



Anne M. Nardacci
U.S. District Judge

Dated: May 30, 2023
Albany, NY